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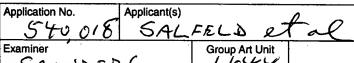
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR			ATTORNEY DOCKET NO.
09/540,018 03/31/00 - 000959 LAHIVE & COCKFIELD 28 STATE STREET BOSTON MA 02109		SALFELD		Ţ.	BBI-043CPACN
		HM12/0718	一		EXAMINER
				SAUNI	DERS,D
				ART UNIT	PAPER NUMBER
				1644	6
				DATE MAILED:	07/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office	Action	Summary
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—The MAILING DATE of this communication appears on the			
	e cover sheet beneath the correspondence address		
Period for Reply	· _		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIR OF THIS COMMUNICATION.	REMONTH(S) FROM THE MAILING DATE		
 Extensions of time may be available under the provisions of 37 CFR 1.136(a). In from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within If NO period for reply is specified above, such period shall, by default, expire SI. Failure to reply within the set or extended period for reply will, by statute, cause 	the statutory minimum of thirty (30) days will be considered timely. X (6) MONTHS from the mailing date of this communication.		
Status			
Responsive to communication(s) filed on 6/28/01	<u> </u>		
☐ This action is FINAL.	•		
☐ Since this application is in condition for allowance except for form accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 1	nal matters, prosecution as to the merits is closed in 1; 453 O.G. 213.		
Disposition of Claims 65-82			
U-Claim(s)	is/are pending in the application.		
Of the above claim(s)	is/are withdrawn from consideration.		
Claim(s) 65-13 16-82	is/are allowed.		
4 Claim(s) 74-75	is/are rejected.		
□ Claim(s)———	is/are objected to.		
□ Claim(s)			
Application Papers	requirement.		
☐ See the attached Notice of Draftsperson's Patent Drawing Review	w PTO 049		
☐ The proposed drawing correction, filed on is			
☐ The drawing(s) filed on is/are objected to by			
☐ The specification is objected to by the Examiner.	, 4.0 = .4.0		
☐ The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. § 119 (a)-(d)			
 □ Acknowledgment is made of a claim for foreign priority under 35 U □ All □ Some* □ None of the CERTIFIED copies of the priority 			
received.			
 □ received in Application No. (Series Code/Serial Number) □ received in this national stage application from the International 			
*Certified copies not received:	, , , , , , , , , , , , , , , , , , , ,		
Attachment(s)			
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s)	□ Interview Summary, PTO-413		
	☐ Notice of Informal Patent Application, PTO-152		
□ Notice of Reference(s) Cited. PTO-892	Notice of Informal Patent Application, PTO-15		
 □ Notice of Reference(s) Cited, PTO-892 □ Notice of Draftsperson's Patent Drawing Review, PTO-948 	 □ Notice of Informal Patent Application, PTO-15. □ Other 		

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97)

Part of Paper No.

Art Unit: 1644

The disclosure is objected to because of the following informalities: The material entered at page 1 (preliminary amendment 3/31/00) improperly refers to 08/599,226 as a CPA of 08/599,226. Applicant must only once refer to application 08/599,226, with its filing date and its current status (Pat. No. 6,090,382) both indicated.

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Appropriate correction is required.

The amendment filed on 6/28/01 (Paper 5) has been entered. Claims 65-82 are pending and under examination.

Claims 74-75 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 74 and 75 contain improper Markush group members which are not art recognized as autoimmune diseases (i.e. antibodies or T-cells specific for a self-antigen are involved in the etiology of the disease).

Specifically in claim 74, "osteoarthritis" and "gouty arthritis" are not autoimmune diseases. In claim 75 "an allergy" and "nephrotic syndrome" are not autoimmune diseases.

Claims 65-82 contain subject matter allowable over the prior art of record.

This application contains no information disclosure statement. Should applicant desire references of record in parent 08/599,226 to be presently considered, an I.D.S. with Form 1449 is required.

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Any inquiry concerning this communication should be directed to David Saunders at telephone number (703) 308-3976.

D. Saunders:jmr

July 2, 2001

DAVID SAUNDERS
PRIMARY EXAMINER
ART UNIT 182 / 644